Case 08-27739 Doc 1 Filed 10/16/08 Entered 10/16/08 11:09:33 Desc Main Document Page 1 of 33

UNITED STATES BANKRUPTCY COURT **Voluntary Petition** NORTHERN DISTRICT OF ILLINOIS **EASTERN DIVISION (CHICAGO)** Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Montgomery, Denise All Other Names used by the Joint Debtor in the last 8 years All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more xxx-xx-3023 than one, state all): than one, state all): Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): 2229 Pennview Lane Schaumburg, IL ZIP CODE ZIP CODE 60194 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): 2229 Pennview Lane Schaumburg, IL ZIP CODE ZIP CODE 60194 Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE Type of Debtor (Form of Organization) Nature of Business Chapter of Bankruptcy Code Under Which (Check one box.) the Petition is Filed (Check one box.) (Check one box.) Health Care Business Chapter 7 Chapter 15 Petition for Recognition Single Asset Real Estate as defined Individual (includes Joint Debtors) Chapter 9 See Exhibit D on page 2 of this form. in 11 U.S.C. § 101(51B) of a Foreign Main Proceeding Chapter 11 Railroad Chapter 15 Petition for Recognition Chapter 12 Corporation (includes LLC and LLP) Stockbroker of a Foreign Nonmain Proceeding Chapter 13 Partnership Commodity Broker Other (If debtor is not one of the above Clearing Bank **Nature of Debts** entities, check this box and state type (Check one box.) of entity below.) Debts are primarily consumer Debts are primarily Tax-Exempt Entity debts, defined in 11 U.S.C. business debts. (Check box, if applicable.) § 101(8) as "incurred by an individual primarily for a Debtor is a tax-exempt organization under Title 26 of the United States personal, family, or house-Code (the Internal Revenue Code). hold purpose. Filing Fee (Check one box.) Chapter 11 Debtors Check one box: ▼ Full Filing Fee attached. Debtor is a small business debtor as defined by 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing Fee to be paid in installments (applicable to individuals only). Must attach Check if: signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Debtor's aggregate noncontigent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must Check all applicable boxes: attach signed application for the court's consideration. See Official Form 3B. A plan is being filed with this petition. Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. **Estimated Number of Creditors** 25,001-Over 5,001-\_\_\_ 10,001-50,001-∐ 50-99 ∐ 200-999 \_\_\_ 1.000-\_\_\_ 100-199 5.000 10.000 25,000 50.000 100.000 100.000 Estimated Assets \$100,001 to \$1,000,001 \$50,000,001 \$100,000,001 \$50,001 to \$500,001 \$10,000,001 \$500,000,001 More than \$50,000 \$100,000 \$500,000 to \$1 million to \$10 million to \$50 million to \$100 million to \$500 million to \$1 billion \$1 billion Estimated Liabilities \$50,001 to \$100,001 to \$500,001 \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than

to \$100 million

to \$500 million

to \$1 billion

\$1 billion

to \$50 million

\$500,000

to \$1 million

to \$10 million

\$50,000 \$100,000

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B1 (Official Form 1) (1/08)	1 agc 2 01 33		Page 2
Voluntary Petition	Name of Debtor(s): Denis	se Montgomery	
(This page must be completed and filed in every case.)			
All Prior Bankruptcy Cases Filed Within L	<u> </u>	<u> </u>	
Location Where Filed: Chicago, IL Chapter 7 Discharged 05/27/2003	Case Number: <b>03-04493</b>	Date Filed: 1/31/2003	
Location Where Filed:	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partne	r or Affiliate of this Debtor	(If more than one, attach a	additional sheet.)
Name of Debtor:	Case Number:	Date Filed:	·
District:	Relationship:	Judge:	
Exhibit A  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)  Exhibit A is attached and made a part of this petition.	yhose I, the attorney for the petitione informed the petitioner that [hof title 11, United States Code	Exhibit B e completed if debtor is an individed edebts are primarily consumer dever named in the foregoing petition he or she] may proceed under challe, and have explained the relief any that I have delivered to the debto	bts.) i, declare that I have apter 7, 11, 12, or 13 vailable under each
	X /s/ Robert J. Adam	s & Associates	10/15/2008
	Robert J. Adams		Date
Does the debtor own or have possession of any property that poses or is alleged to Yes, and Exhibit C is attached and made a part of this petition.  No.	Exhibit C pose a threat of imminent and identif	iable harm to public health or safe	ety?
	Exhibit D		
(To be completed by every individual debtor. If a joint petition is filed,	·	d attach a separate Exhibit I	D.)
Exhibit D completed and signed by the debtor is attached an	id made a part of this petition.		
If this is a joint petition:  Exhibit D also completed and signed by the joint debtor is at	tached and made a part of this	petition.	
	garding the Debtor - Venue		
Otheck and Debtor has been domiciled or has had a residence, principal place preceding the date of this petition or for a longer part of such 180		ts in this District for 180 days	s immediately
There is a bankruptcy case concerning debtor's affiliate, general p	partner, or partnership pending i	in this District.	
Debtor is a debtor in a foreign proceeding and has its principal plate principal place of business or assets in the United States but is a or the interests of the parties will be served in regard to the relief	defendant in an action or proce		
Certification by a Debtor Who R		ntial Property	
Landlord has a judgment against the debtor for possession of deb	all applicable boxes.) otor's residence. (If box checke	ed, complete the following.)	
	(Name of landlord that obtai	ined judgment)	
	40.11		<u> </u>
☐ Debtor claims that under applicable nonbankruptcy law, there are	(Address of landlord)	a debtor would be permitted t	o cure the entire
monetary default that gave rise to the judgment for possession, a		•	o care the entire
Debtor has included in this petition the deposit with the court of an petition.	ny rent that would become due o	during the 30-day period afte	er the filing of the
Debtor certifies that he/she has served the Landlord with this cert	ification. (11 U.S.C. § 362(I)).		

Date

11 (Official Form 1) (1/08)	Document	Page 3 of 33	Page 3
Voluntary Petition		Name of Debtor(s): Denise Montgomery	
(This page must be completed and filed in e	very case)		
	Sign	natures	
Signature(s) of Debtor(s) (Individual/Join	,	Signature of a Foreign Representative	<del>)</del>
I declare under penalty of perjury that the information provided i true and correct.  [If petitioner is an individual whose debts are primarily consumer chosen to file under chapter 7] I am aware that I may proceed under that I may proceed under that I may proceed under stand the relikence of the proceed under chapter 7.	debts and has under chapter 7,	I declare under penalty of perjury that the information provided in this and correct, that I am the foreign representative of a debtor in a foreign and that I am authorized to file this petition.  (Check only one box.)	
[If no attorney represents me and no bankruptcy petition prepara petition] I have obtained and read the notice required by 11 U.S	-	I request relief in accordance with chapter 15 of title 11, United S Certified copies of the documents required by 11 U.S.C. § 1515	
I request relief in accordance with the chapter of title 11, United specified in this petition.	States Code,	Pursuant to 11 U.S.C. § 1511, I request relief in accordance with title 11 specified in this petition. A certified copy of the order gran recognition of the foreign main proceeding is attached.	
X /s/ Denise Montgomery			
Denise Montgomery		X	
X		(Signature of Foreign Representative)	
Telephone Number (If not represented by attorney	)	(Printed Name of Foreign Representative)	
10/15/2008 Date		Date	
Signature of Attorney*		Signature of Non-Attorney Bankruptcy Petition	Preparer
/s/ Robert J. Adams & Associates Robert J. Adams & Associates  Robert J. Adams & Assoc.  Robert J. Adams & Assoc.  125 S. Clark, Suite 1810 Chicago, IL 60603		I declare under penalty of perjury that: (1) I am a bankruptcy petition defined in 11 U.S.C. § 110; (2) I prepared this document for comper have provided the debtor with a copy of this document and the notic information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b) or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h maximum fee for services chargeable by bankruptcy petition prepare given the debtor notice of the maximum amount before preparing an for filing for a debtor or accepting any fee from the debtor, as require section. Official Form 19 is attached.	nsation and ses and s; and, (3) if rules n) setting a sers, I have ny document
Phone No.(312) 346-0100 Fax No.(312)	340-0220	Printed Name and title, if any, of Bankruptcy Petition Preparer	
10/15/2008 Date			
*In a case in which § 707(b)(4)(D) applies, this signature also co- certification that the attorney has no knowledge after an inquiry information in the schedules is incorrect.		Social-Security number (If the bankruptcy petition preparer is not an state the Social-Security number of the officer, principal, responsible partner of the bankruptcy petition preparer.) (Required by 11 U.S.C	person or
Signature of Debtor (Corporation/Partn I declare under penalty of perjury that the information provided i true and correct, and that I have been authorized to file this peti the debtor.	n this petition is		
The debtor requests relief in accordance with the chapter of title Code, specified in this petition.	e 11, United States	Address X	
		Date	
X		Signature of bankruptcy petiton preparer or officer, principal, respon partner whose Social-Security number is provided above.	sible person, or
Signature of Authorized Individual		Names and Social-Security numbers of all other individuals who prepared to the control of the co	nared or
Printed Name of Authorized Individual		assisted in preparing this document unless the bankruptcy petition p an individual.	
Title of Authorized Individual		If more than one person prepared this document, attach additional s conforming to the appropriate official form for each person.	heets

A bankruptcy petition preparer's failure to comply with the provisions of title 11

and the Federal Rules of Bankruptcy Procedure may result in fines or

imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

Official Form 1, Exhibit D (10/06)

## Document Page 4 of 33 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS **EASTERN DIVISION (CHICAGO)**

IN RE:	Denise Montgomery	Case No.	
			(if known)

Debtor(s)

#### **EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT**

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eliqible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.
1. Within the 180 days <b>before the filing of my bankruptcy case</b> , I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
2. Within the 180 days <b>before the filing of my bankruptcy case</b> , I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit couseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.]

If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.

Official Form 1, Exhibit D (10/06)

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE:	Denise Montgomery	Case No.	
			(if known)

Debtor(s)

# EXHIBIT D - INDIVIDUAL DERTOP'S STATEMENT OF COMPLIANCE WITH

CREDIT COUNSELING REQUIREMENT
Continuation Sheet No. 1
4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]
Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilites.);
Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
Active military duty in a military combat zone.
5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: /s/ Denise Montgomery
Denise Montgomery
Date:10/15/2008

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B6A (Official Form 6A) (12/07)

In re	Denise Montgomery	Case No.	
		_	(if known)

## **SCHEDULE A - REAL PROPERTY**

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or Exemption	Amount Of Secured Claim
None				
	Tot		\$0.00	

(Report also on Summary of Schedules)

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B6B (Official Form 6B) (12/07)

In re <b>Den</b> i	ise Montgomery	Case No.		
			(if known)	

## **SCHEDULE B - PERSONAL PROPERTY**

Type of Property	None	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
1. Cash on hand.		Cash	-	\$11.00
2. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		TCF	-	\$0.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	x			
4. Household goods and furnishings, including audio, video and computer equipment.		Apartment Deposit	-	\$1,500.00
5. Books; pictures and other art objects; antiques; stamp, coin, record, tape, compact disc, and other collections or collectibles.	x			
6. Wearing apparel.		Clothes	-	\$300.00
7. Furs and jewelry.	x			
8. Firearms and sports, photographic, and other hobby equipment.	х			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	х			
10. Annuities. Itemize and name each issuer.	х			

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B6B (Official Form 6B) (12/07) -- Cont.

In re Denise Montgomery	Case No.	
		(if known)

## **SCHEDULE B - PERSONAL PROPERTY**

Continuation Sheet No. 1

Type of Property	None	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	x			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	x			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	x			
14. Interests in partnerships or joint ventures. Itemize.	x			
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	x			
16. Accounts receivable.	x			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	x			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	х			

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B6B (Official Form 6B) (12/07) -- Cont.

In re	Denise Montgomery	Case No.	
			(if known)

## **SCHEDULE B - PERSONAL PROPERTY**

Continuation Sheet No. 2

Type of Property	None	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	x			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	x			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	x			
22. Patents, copyrights, and other intellectual property. Give particulars.	x			
23. Licenses, franchises, and other general intangibles. Give particulars.	х			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	x			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		2004 Monte Carlo SS supercharged	-	\$11,085.00
26. Boats, motors, and accessories.	X			

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B6B (Official Form 6B) (12/07) -- Cont.

In re	Denise Montgomery	Case No.	
			(if known)

## **SCHEDULE B - PERSONAL PROPERTY**

Continuation Sheet No. 3

Type of Property	None	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
27. Aircraft and accessories.	x			
28. Office equipment, furnishings, and supplies.	x			
29. Machinery, fixtures, equipment, and supplies used in business.	x			
30. Inventory.	x			
31. Animals.	х			
32. Crops - growing or harvested. Give particulars.	x			
33. Farming equipment and implements.	x			
34. Farm supplies, chemicals, and feed.	x			
35. Other personal property of any kind not already listed. Itemize.	x			

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

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B6C (Official Form 6C) (12/07)

In re Denise	Montgomery
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Case No.	
	(If known)

## **SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

Debtor claims the exemptions to which debtor is entitled under: (Check one box)	Check if debtor claims a homestead exemption that exceeds \$136,875.
☐ 11 U.S.C. § 522(b)(2) ☐ 11 U.S.C. § 522(b)(3)	

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Cash	735 ILCS 5/12-1001(b)	\$11.00	\$11.00
TCF	735 ILCS 5/12-1001(b)	\$0.00	\$0.00
Apartment Deposit	735 ILCS 5/12-1001(b)	\$1,500.00	\$1,500.00
Clothes	735 ILCS 5/12-1001(a), (e)	\$300.00	\$300.00
2004 Monte Carlo SS supercharged	735 ILCS 5/12-1001(c)	\$0.00	\$11,085.00
		\$1,811.00	\$12,896.00

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B6D (Official Form 6D) (12/07) In re Denise Montgomery

Case No.	
	(if known)

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions Above.)	CODEBTOR	E, JOINT,	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN  DATE INCURRED:		AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCT #: Thrift Savins Plan		-	NATURE OF LIEN: Thrift savings COLLATERAL: Thrift savings REMARKS:  VALUE: \$10,000.00		\$10,000.00	
ACCT #: 50231580345959001  Wells Fargo Auto Finance PO Box 29704 Phoenix, AZ 85038-9704		-	DATE INCURRED: Nov 2004 NATURE OF LIEN: auto loan COLLATERAL: 2004 Monte Carlo SS supercharged REMARKS: Not a 910 car		\$18,884.48	\$7,799.48
			VALUE: \$11,085.00			
continuation sheets attached	. <u> </u>		Subtotal (Total of this Page Total (Use only on last page		\$28,884.48 \$28,884.48 (Report also on	\$7,799.48 \$7,799.48 (If applicable,

Summary of Schedules.)

report also on Statistical Summary of Certain Liabilities and Related Data.)

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B6E (Official Form 6E) (12/07)

In re Denise Montgomery

Case No.	
	(If Known)

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
ΤY	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)
	Domestic Support Obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
	Extensions of credit in an involuntary case  Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans  Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	Deposits by individuals  Claims of individuals up to \$2,425* for deposits for the purchase, lease or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
V	Taxes and Certain Other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	Commitments to Maintain the Capital of an Insured Depository Institution  Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).
	Claims for Death or Personal Injury While Debtor Was Intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).
V	Administrative allowances under 11 U.S.C. Sec. 330 Claims based on services rendered by the trustee, examiner, professional person, or attorney and by any paraprofessional person employed by such person as approved by the court and/or in accordance with 11 U.S.C. §§ 326, 328, 329 and 330.
	nounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of istment.
	continuation sheets attached

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B6E (Official Form 6E) (12/07) - Cont.

In re Denise Montgomery

Case No.	
	(If Known)

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

TYPE OF PRIORITY Taxes and Certain Other Debts Owed to Governmental Units

TYPE OF PRIORITY	axe	es an	d Certain Other Debts Owed to Gov	ver	nm	eni	tai Units		
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
ACCT #:	T		DATE INCURRED: 2005						
Internal Revenue Service Kansas City, MO 64999-0010		-	CONSIDERATION: Taxes REMARKS:				\$8,603.71	\$8,603.71	\$0.00
			sheets Subtotals (Totals of this	pag	je)	<u> </u>	\$8,603.71	\$8,603.71	\$0.00
	onl	y on	aims last page of the completed Schedule n the Summary of Schedules.)		tal	>			
If ap	olica	able,	T last page of the completed Schedule report also on the Statistical Summan bilities and Related Data.)		als	>			

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B6E (Official Form 6E) (12/07) - Cont.

In re Denise Montgomery

Case No.	
	(If Known)

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

TYPE OF PRIORITY Administrative allowances

TTPE OF PRIORITY	Aun	1111511	alive allowarices						
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
ACCT #:			DATE INCURRED: 10/14/2008	Т					
Robert J. Adams & Assoc. 125 S. Clark, Suite 1810 Chicago, IL 60603		-	CONSIDERATION: Attorney Fees REMARKS:				\$3,500.00	\$3,500.00	\$0.00
				H		┢			
				H					
	ntinua			pag	ge)	>	\$3,500.00	\$3,500.00	\$0.00
attached to Schedule of Creditors Holding					tal	>	\$12,103.71		
			last page of the completed Schedule n the Summary of Schedules.)	E.					
			1	Γota	als	>		\$12,103.71	\$0.00
			ast page of the completed Schedule	E.				, , = = = =	,
			report also on the Statistical Summa	ry					
of	of Certain Liabilities and Related Data.)								

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B6F (Official Form 6F) (12/07) In re **Denise Montgomery** 

Case No.		
	(if known)	

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNITOTITED	מולבו מסומים	DISPUTED	AMOUNT OF CLAIM
ACCT #: 4862-3624-0136-6292 Capital One Bank (USA), NA PO Box 5294 Carol Stream, IL 60197-5294		-	DATE INCURRED: CONSIDERATION: Credit Card REMARKS:					\$974.83
ACCT #: 08DS006375  City of Chicago Dept. Of Revenue Aminstrative Hearings Collections 121 N. Lasalle Chicago, IL 60602		-	DATE INCURRED: CONSIDERATION: Other REMARKS:					\$340.00
ACCT #: 39942 Commercial Recovery Systems, Inc. PO Box 570909 Dallas, TX 75357		-	DATE INCURRED: CONSIDERATION: Collecting for -Physiotherapy Associates REMARKS:					\$324.00
ACCT #: 87983000047084010  Credit Protection Assoc 13355 Noel RD STE 2100 Dallas, TX 75240		-	DATE INCURRED: CONSIDERATION: Collecting for - Comcast REMARKS:					\$247.61
ACCT #: 80967631 Direct TV PO Box 9001069 Louisville, KY 40290-1069		-	DATE INCURRED: CONSIDERATION: Other REMARKS:					\$192.49
ACCT #: 5440-4550-1274-5074 Echelon Recovery, Inc. PO Box 1880 Voorhees, NJ 08043		-	DATE INCURRED: CONSIDERATION: Collecting for - HSBC Bank REMARKS:				+	\$600.11
1continuation sheets attached		(Rep	Su  (Use only on last page of the completed Schort also on Summary of Schedules and, if applicabl Statistical Summary of Certain Liabilities and Relat	nedu e, o	ota ule on t	al : F. he	.)	\$2,679.04

Document

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B6F (Official Form 6F) (12/07) - Cont. In re Denise Montgomery

Case No.		
	(if known)	

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCT #: 505154710  Sprint P.O.Box 600760  Jacksonville, FL 32260-0670		-	DATE INCURRED: CONSIDERATION: Utility REMARKS:				\$689.26
ACCT #: CM9491 Viking Collection Service, Inc. PO Box 59207 Minneapolis, MN 55459		-	DATE INCURRED: CONSIDERATION: Collecting For - Ressurgant Capital Services REMARKS:				\$1,111.41
Sheet no. <u>1</u> of <u>1</u> continuation she Schedule of Creditors Holding Unsecured Nonpriority C	laim	ıs	hed to S (Use only on last page of the completed Sc ort also on Summary of Schedules and, if applicab Statistical Summary of Certain Liabilities and Rela	hed le, c	ota ule on tl	l > F.) he	\$1,800.67 \$4,479.71

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B6G (Official Form 6G) (12/07)

In re Denise Montgomery

Case No.		
	(if known)	

#### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases of contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no executory contracts or unexpired leases.						
NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.					
Grand Vista Apartments 1010 Knollwood Schaumburg, IL 60194	Apartment lease Contract to be ASSUMED					

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B6H (Official Form 6H) (12/07) In re **Denise Montgomery** 

Case No.	
	(if known)

#### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR

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B6I (Official Form 6I) (12/07)

In re Denise Montgomery

Case No.	
	(if known)

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:	Dependents of Debtor and Spouse				
Single	Relationship(s):	Age(s):	Relationship(s	):	Age(s):
Omigio					
Empleyment.	Debtor		Chausa		
Employment:	Mail Carrier		Spouse		
Occupation Name of Employer	U.S Postal Service				
How Long Employed	8yrs				
Address of Employer	256 Central Ave				
Addition of Employer	Roselle, IL 60172				
INCOME: (Estimate of a)	verage or projected monthly in	ncome at time case filed)		DEBTOR	SPOUSE
	s, salary, and commissions (P			\$4,368.35	<u> </u>
<ol><li>Estimate monthly over</li></ol>				\$0.00	
3. SUBTOTAL				\$4,368.35	
4. LESS PAYROLL DE			<u>.                                    </u>		
	ides social security tax if b. is	zero)		\$916.07	
b. Social Security Tax	X			\$265.50	
c. Medicare d. Insurance				\$62.10 \$183.58	
e. Union dues				\$52.26	
f. Retirement				\$0.00	
g. Other (Specify)	401k repayment			\$113.49	
h. Other (Specify)				\$0.00	
i. Other (Specify)				\$0.00	
j. Other (Specify)				\$0.00	
k. Other (Specify)	DOLL DEDUCTIONS			\$0.00	
5. SUBTOTAL OF PAY			_	\$1,593.00	
	ILY TAKE HOME PAY			\$2,775.35	
	operation of business or pro	fession or farm (Attach det	ailed stmt)	\$0.00	
Income from real pro     Interest and dividend				\$0.00	
<ol> <li>Interest and dividend</li> <li>Alimony maintenance</li> </ol>	is e or support payments payab	ale to the debtor for the deb	otor's use or	\$0.00 \$0.00	
that of dependents lis		ile to the debtor for the dec	7.01 3 d3e 01	Ψ0.00	
	vernment assistance (Specify	):			
		•		\$0.00	
12. Pension or retiremen				\$0.00	
<ol> <li>Other monthly incom</li> </ol>	e (Specily):			\$0.00	
b.				\$0.00	
C.				\$0.00	
14. SUBTOTAL OF LINE	S 7 THROUGH 13			\$0.00	
	Y INCOME (Add amounts sh	own on lines 6 and 14)		\$2,775.35	
	GE MONTHLY INCOME: (Co	•	ne 15)		775.35
			- '-'	<del></del> ,-	

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

<sup>17.</sup> Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

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B6J (Official Form 6J) (12/07)

IN RE: Denise Montgomery

Case No.	
	(if known)

## SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of t	the debtor and the debtor's family at time case filed. Prorate any
payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.	. The average monthly expenses calculated on this form may
differ from the deductions from income allowed on Form 22A or 22C.	

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate sclubbled "Spouse."	hedule of expenditures
1. Rent or home mortgage payment (include lot rented for mobile home)     a. Are real estate taxes included?	\$1,022.00
2. Utilities: a. Electricity and heating fuel	\$100.00
b. Water and sewer c. Telephone d. Other:	\$100.00
3. Home maintenance (repairs and upkeep) 4. Food 5. Clothing 6. Laundry and dry cleaning 7. Medical and dental expenses 8. Transportation (not including car payments) 9. Recreation, clubs and entertainment, newspapers, magazines, etc. 10. Charitable contributions	\$433.00 \$120.00 \$75.00 \$60.00 \$250.00 \$10.00 \$20.00
11. Insurance (not deducted from wages or included in home mortgage payments) a. Homeowner's or renter's b. Life c. Health d. Auto e. Other:	\$110.00
12. Taxes (not deducted from wages or included in home mortgage payments) Specify:	
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan) a. Auto: b. Other: c. Other: d. Other:	
<ul> <li>14. Alimony, maintenance, and support paid to others:</li> <li>15. Payments for support of add'l dependents not living at your home:</li> <li>16. Regular expenses from operation of business, profession, or farm (attach detailed statement)</li> <li>17.a. Other:</li> <li>17.b. Other:</li> </ul>	
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$2,300.00
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year followin document:	g the filing of this
20. STATEMENT OF MONTHLY NET INCOME a. Average monthly income from Line 15 of Schedule I b. Average monthly expenses from Line 18 above c. Monthly net income (a. minus b.)	\$2,775.35 \$2,300.00 \$475.35

Case 08-27739 Doc 1 Filed 10/16/08 Entered 10/16/08 11:09:33 Desc Main Document Page 22 of 33

B6 Summary (Official Form 6 - Summary) (12/07)

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

In re Denise Montgomery Case No.

Chapter 13

#### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	\$0.00		
B - Personal Property	Yes	4	\$12,896.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		\$28,884.48	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	3		\$12,103.71	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	2		\$4,479.71	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			\$2,775.35
J - Current Expenditures of Individual Debtor(s)	Yes	1			\$2,300.00
	TOTAL	16	\$12,896.00	\$45,467.90	

Case 08-27739 Doc 1 Filed 10/16/08 Entered 10/16/08 11:09:33 Desc Main Document Page 23 of 33

Form 6 - Statistical Summary (12/07)

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

In re Denise Montgomery

Case No.

Chapter 13

## STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11, or 13, you must report all information requested below.

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	\$0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$8,603.71
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	\$0.00
Student Loan Obligations (from Schedule F)	\$0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	\$0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$0.00
TOTAL	\$8,603.71

#### State the following:

Average Income (from Schedule I, Line 16)	\$2,775.35
Average Expenses (from Schedule J, Line 18)	\$2,300.00
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	\$4,605.59

#### State the following:

Ctate the renewing.		
Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$7,799.48
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.	\$12,103.71	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		\$0.00
4. Total from Schedule F		\$4,479.71
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		\$12,279.19

Case 08-27739 Doc 1 Filed 10/16/08 Entered 10/16/08 11:09:33 Desc Main B6 Declaration (Official Form 6 - Declaration) (12/07) Page 24 of 33

In re Denise Montgomery

Case No.	
	(if known)

## **DECLARATION CONCERNING DEBTOR'S SCHEDULES DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the sheets, and that they are true and correct to the best of n	18	-	
Date 10/15/2008	Signature /s/ Denise Montgomery  Denise Montgomery		_
Date	Signature		_
	[If joint case, both spouses must sign.]		

B7 (Official Form 7) (12/07)

# Document Page 25 of 33 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

n re:	Denise Montgomery	Case No.	
			(if known)

		(4.4.5.1.4)
		STATEMENT OF FINANCIAL AFFAIRS
		employment or operation of business
None	State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)	
	AMOUNT	SOURCE
	\$42,513.32	YTD \$53,000 for 2007 \$52,000 for 2006
None		than from employment or operation of business

None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 3. Payments to creditors

Complete a. or b., as appropriate, and c.

None

a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

V

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

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c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 4. Suits and administrative proceedings, executions, garnishments and attachments

None

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

✓

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

B7 (Official Form 7) (12/07) - Cont.

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

In re:	<b>Denise Montgomery</b> Case No.		
			(if known)

#### STATEMENT OF FINANCIAL AFFAIRS

Continuation Sheet No. 1

5	Repossessions.	foreclosures	and returns
J.	1/6003363310113.	ioi eciosui es	and returns

INOII

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

✓

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 7. Gifts

None

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 8. Losses

None

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 9. Payments related to debt counseling or bankruptcy

Non

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE Robert J. Adams & Assoc. 125 S. Clark, Suite 1810 Chicago, IL 60603 DATE OF PAYMENT, NAME OF PAYER IF OTHER THAN DEBTOR 10/14/2008

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY

\$0.00

www.cricket.com \$36.00 for credit counseling

#### 10. Other transfers

 $\overline{\mathbf{V}}$ 

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

B7 (Official Form 7) (12/07) - Cont.

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

In re:	Denise Montgomery	Case No.	
			(if known)

	STATEMENT OF FINANCIAL AFFAIRS  Continuation Sheet No. 2		
None	11. Closed financial accounts  List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)		
None	12. Safe deposit boxes  List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)		
None	13. Setoffs  List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)		
None	14. Property held for another person List all property owned by another person that the debtor holds or controls.		
None	15. Prior address of debtor  If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.		

## 16. Spouses and Former Spouses

If the

**ADDRESS** 

741 N. Waller, Chicago, IL

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME USED

**DATES OF OCCUPANCY** 

2006 until 2008

B7 (Official Form 7) (12/07) - Cont.

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

n re:	Denise Montgomery	Case No.	
		_	(if known)

## STATEMENT OF FINANCIAL AFFAIRS

Continuation Sheet No. 3

1	7	Enviro	nmental	Information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

None a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material.

Indicate the governmental unit to which the notice was sent and the date of the notice.

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

#### 18. Nature, location and name of business

None

a. If the debtor is an individual, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

None

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

B7 (Official Form 7) (12/07) - Cont.

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

In re:	Denise Montgomery	Case No.	
		(if l	known)

## STATEMENT OF FINANCIAL AFFAIRS

Continuation Sheet No. 4

	The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.
	(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)
	19. Books, records and financial statements
None  ✓	a. List all bookkeepers and accountants who within two years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.
None	b. List all firms or individuals who within two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.
None	c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.
None	d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within two years immediately preceding the commencement of this case.
	20. Inventories
None  ✓	a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.
None	b. List the name and address of the person having possession of the records of each of the inventories reported in a., above.
	21. Current Partners, Officers, Directors and Shareholders
None  ✓	a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.
None 🗹	b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

## 22. Former partners, officers, directors and shareholders

None a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

B7 (Official Form 7) (12/07) - Cont.

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

In re:	Denise Montgomery	Case No.	
			(if known)

	STATEME	NT OF FINAN Continuation Shee	NCIAL AFFAIRS at No. 5
None	23. Withdrawals from a partnership or distri	•	•
<b>7</b>			s credited or given to an insider, including compensation in any form, te during one year immediately preceding the commencement of this
	24. Tax Consolidation Group		
None If the debtor is a corporation, list the name and federal taxpayer-identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within six years immediately preceding the commencement of the case.			
	25. Pension Funds		
None	None If the debtor is not an individual, list the name and federal taxpayer-identification number of any pension fund to which the debtor, as an employ has been responsible for contributing at any time within six years immediately preceding the commencement of the case.		
 [If co	mpleted by an individual or individual and spouse]		
	are under penalty of perjury that I have read the answinnents thereto and that they are true and correct.	wers contained in	the foregoing statement of financial affairs and any
Date	10/15/2008	Signature	/s/ Denise Montgomery
		of Debtor	Denise Montgomery
Date		Signature	
		of Joint Debto (if any)	or
	lty for making a false statement: Fine of up to \$500,0 S.C. §§ 152 and 3571	000 or imprisonme	ent for up to 5 years, or both.

B201 (04/09/06)

# Document Page 31 of 33 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Denise Montgomery

## NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days BEFORE the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

## <u>Chapter 13:</u> Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under Chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

B201 (04/09/06)

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Page 2

IN RE: Denise Montgomery

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

## 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

#### Certificate of Compliance with § 342(b) of the Bankruptcy Code

I,	Robert J. Adams & Associates	, counsel for Debtor(s), hereby certify that I delivered to the Debtor(s) the Notice
requir	red by § 342(b) of the Bankruptcy Code.	
/s/ Ro	obert J. Adams & Associates	
Robe	rt J. Adams & Associates, Attorney for Deb	tor(s)
Bar N	lo.: 0013056	
Robe	rt J. Adams & Assoc.	
125 S	S. Clark, Suite 1810	

Chicago, IL 60603 Phone: (312) 346-0100 Fax: (312) 346-6228

#### **Certificate of the Debtor**

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Denise Montgomery	X /s/ Denise Montgomery	10/15/2008	
	Signature of Debtor	Date	
Printed Name(s) of Debtor(s)	X		
Case No. (if known)	Signature of Joint Debtor (if any)	Date	

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Denise Montgomery CASE NO

CHAPTER 13

## DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1.	Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above-named debtor(s) and hat compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:				
	For legal services, I have agreed to accept:		\$3,500.00		
Prior to the filing of this statement I have receive			\$0.00		
	Balance Due:		\$3,500.00		
2.	The source of the compensation paid to me was:				
	☑ Debtor ☐ Other (spe	cify)			
3.	3. The source of compensation to be paid to me is:  ☐ Debtor ☐ Other (spe	cify)			
4.	I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.				
	☐ I have agreed to share the above-disclosed coassociates of my law firm. A copy of the agree compensation, is attached.		•		
5.	<ul> <li>i. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:</li> <li>a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;</li> <li>b. Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;</li> <li>c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;</li> </ul>				
6.	6. By agreement with the debtor(s), the above-disclo	6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:			
	CERTIFICATION  I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.				
	10/15/2008	/s/ Robert J. Adams & Associa	ites		
	Date	Robert J. Adams & Associates Robert J. Adams & Assoc. 125 S. Clark, Suite 1810 Chicago, IL 60603 Phone: (312) 346-0100 / Fax: (3	Bar No. 0013056		
	/s/ Denise Montgomery Denise Montgomery				